



California Fair Political Practices Commission

September 12, 1989

Bruce W. Robeck
Paralegal Administrator
Nielsen, Merksamer, Hodgson,
Parrinello & Mueller
770 L Street, Suite 800
Sacramento, CA 95814

Re: Your Request for Advice
Our File No. A-89-489

Dear Mr. Robeck:

You have requested confirmation of telephone advice regarding the reporting requirements under the Political Reform Act (the "Act").¹ You were concerned about the treatment of purchases of advertising space in a state political convention brochure.

This will confirm the telephone advice given as follows:

1. A general purpose recipient committee which purchases an advertisement in a California state political convention brochure should report the payment on its campaign statement as an expenditure which is not a contribution, if full and adequate consideration is received for the payment.

2. A candidate-controlled recipient committee may purchase advertising space at regular commercial rates in a California state political party convention guidebook if full and adequate consideration is received for the payment.

A contribution is defined, in part, as any payment, "...except to the extent that full and adequate consideration is received...." (Section 82015.) Therefore, so long as the full and adequate consideration is received in the form of advertising space, the payments do not meet the definition of "contribution"

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

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under the Act. The committees would report the payments as expenditures. (Hartman Advice Letter, No A-88-334.)

If you have any further questions concerning this matter, please contact me at (916) 322-5901.

Sincerely,

Kathryn E. Donovan
General Counsel

A handwritten signature in cursive script, appearing to read "Margaret W. Ellison".

By: Margaret W. Ellison
Counsel, Legal Division

KED/MWE/aa

Enclosure

LAW OFFICES OF
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FILE NUMBER

August 14, 1989

6080.02

6382.01

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Ms. Margaret Ellison
Attorney at Law
Legal Division
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, California 95814

Dear Margaret:

Pursuant to our telephone conversations on July 25, 1989, August 4, 1989, and August 10, 1989, I would like to convey a written summary of my understanding of my questions and of your advice.

QUESTIONS

1. When a general purpose recipient committee (Government Code Section 82013(a)) purchases an advertisement in a California state political party convention brochure, should the payment be reported on a campaign statement as an expenditure which is not a contribution to the political party?

2. May a candidate controlled recipient committee (Government Code Sections 82013(a) and 82011) purchase advertising space at regular commercial rates in a California political party convention guidebook?

My understanding of your response is as follows:

1. A general purpose recipient committee which purchases an advertisement in a California state political convention brochure should report the payment on a campaign statement as an expenditure which is not a contribution if full and adequate consideration is received for the payment.

2. A candidate controlled recipient committee may purchase advertising space at regular commercial rates in a California political party convention guidebook if full and adequate consideration is received for the payment.

Ms. Margaret Ellison
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Let me know if the above summary does not conform to your understanding of my questions and your advice. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Bruce W. Robeck".

Bruce W. Robeck
Paralegal Administrator
Political Reports Unit
Sacramento

BWR:mjsw



California Fair Political Practices Commission

August 21, 1989

Bruce Robeck
Paralegal
Nielsen, Merksamer, Parrinello
& Mueller
770 L Street, Suite 800
Sacramento, CA 95814

Re: Letter No. 89-489

Dear Mr. Robeck:

We received your letter requesting confirmation of advice under the Political Reform Act on August 16, 1989. Your letter has been assigned to Margaret Ellison for response. If you have any questions, you may contact her directly at (916) 322-5901.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

You should be aware that your letter and our response are public records which may be disclosed to any interested person upon receipt of a proper request for disclosure.

Sincerely,

Kathryn E. Donovan
General Counsel

KED:plh:confadv1